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NEGLECTED AND UNNOTICED ADDITIONS IN THE TEXT OF THREE SPEECHES
OF CICERO (*IN VERREM* II.5, *PRO MURENA*, *PRO MILONE*)¹

D. H. Berry

Latius patet ... contagio quam quisquam putat (Cic. *Mur.* 78).

The text of Cicero's speeches, particularly those speeches which have historically been the most read, has attracted a good many additions. These are usually glosses, originally placed in the margin but later incorporated into the text in the course of transcription; occasionally, however, they are interpolations.² The purpose of a gloss was to explain some feature of the text (historical or linguistic, for example) which would originally have required no explanation but was likely to be obscure to readers of the glossator's own time. The glossator may also have been motivated by a desire to impress his own special knowledge on the reader. Often this knowledge did not amount to much, and was derived from another passage, generally an earlier passage, in the same text, with the result that the information provided was frequently superfluous and sometimes inaccurate. When the text with its marginal

¹ I am grateful to the conference audience, particularly to Peter Brown, David Butterfield and Stephen Heyworth, for comments on the delivered version of this paper. Professor Reeve was my tutor at Exeter College, Oxford from 1983 to 1984, and later gave me substantial help and guidance in my research on the text of Cicero's *Pro Sulla*. This paper is offered to him in gratitude.

² A gloss is 'an explanatory word or phrase clarifying the meaning of a word that might be unfamiliar to a reader, or a marginal note of explanation or comment' (Burchfield 1996: 333); an interpolation is a deliberate insertion into the text, whether or not intended to mislead.

glosses came in due course to be transcribed, the copyist might be uncertain whether the marginalia were actually glosses or were parts of the original text that had been accidentally omitted and then restored; and in cases of doubt he might prefer to copy into the main text any words which seemed to him to have some chance of having been written by his author. The purpose of an interpolation, on the other hand, was not generally to embellish or amplify a text—if that had been the purpose, interpolations would be far more common in Cicero than they are—but to correct some supposed error or ease some difficulty; in other words, to emend the text.

There are numerous words or phrases in the text of Cicero's speeches which are generally recognised as additions by editors. This paper aims to identify further such additions which have not yet been generally recognised, in three speeches: *In Verrem* II.5, *Pro Murena* and *Pro Milone*. In some of these cases, scholars of the more distant past have advocated deletion, but all or most recent editors have chosen instead to retain the transmitted text. In three other cases, the deletion of previously unsuspected text is proposed here for the first time.

Ver. 2.5.83

Verres has put a provincial, Cleomenes of Syracuse, in command of the Roman fleet in order to remove him from Syracuse and thereby gain access for himself to Cleomenes' wife.

Accipit navis sociorum atque amicorum Cleomenes Syracusanus. quid primum aut accusem aut querar? Siculone homini legati, quaestoris, praetoris denique potestatem, honorem, auctoritatem dari? si te impediabat ista conviviorum mulierumque occupatio, ubi quaestores, ubi legati, **ubi ternis denariis aestimatum frumentum, ubi muli, ubi tabernacula, ubi tot**

tantaque ornamenta magistratibus et legatis a senatu populoque Romano permissa et data, denique ubi praefecti, ubi tribuni tui? Si civis Romanus dignus isto negotio nemo fuit, quid civitates quae in amicitia fideque populi Romani perpetuo manserant? ubi Segestana, ubi Centuripina civitas? quae cum officiis fide vetustate, tum etiam cognatione populi Romani nomen attingunt.

ubi ternis denariis ... permissa et data *del. Ernesti*

denique alterum *del. Berry*

[*Cleomenes of Syracuse, then, took charge of the ships of our friends and allies. What aspect of this should I criticise or lament first? That the power, prestige and authority of a legate, a quaestor, even a governor was handed over to a Sicilian? If your business with women and parties prevented you from undertaking this duty yourself, what about the quaestors, what about the legates, what about the grain valued at three denarii a measure, what about the mules, what about the tents, what about the plentiful and varied equipment authorised and entrusted to the magistrates and legates by the senate and people of Rome, and—if it comes to that—what about your own officers, what about your military tribunes? And if there was no Roman citizen fit to undertake the command, what of the states which have always been loyal friends of the Roman people? What about Segesta, what about Centuripae, states which by their long-standing and loyal service to us, and also their kinship with us, come near to the status of Roman citizens?*]

The words *ubi ternis denariis ... permissa et data* were deleted by some nineteenth-century and early twentieth-century editors, following Ernesti,³ but were retained by later

³ Ernesti 1810; Bornecque 1929.

twentieth-century ones, including Peterson, Levens and Klotz.⁴ Greenwood, in his Loeb edition, curiously argued that the words should not be regarded as an interpolation because they are found in all the MSS.⁵ The sense, however, absolutely demands deletion: Cicero cannot be suggesting that Verres should have put grain, mules and tents in charge of the fleet in preference to Cleomenes, nor can he be implying that mules possess Roman citizenship. Reynolds and Wilson have written: ‘A rare but interesting corruption is the addition to a text of a parallel passage originally written in the margin of a book by a learned reader.’⁶ This is the type of corruption that has occurred here: the passage would have been quoted in the margin as a parallel instance of repeated *ubi* in a rhetorical text, perhaps a text also concerned with provincial governors and their abuses. The words should be treated as a new fragment of a lost speech by Cicero or some other orator.

If the deletion of *ubi ternis denariis ... permissa et data* is accepted, then *denique* should be deleted as well. The word would have been interpolated to ease the syntax after the addition, and was perhaps prompted by *denique* in the previous question.

Ver. 2.5.143

Cicero is detailing Verres’ abuses of justice committed against Roman citizens.

Carcer ille qui est a crudelissimo tyranno Dionysio factus Syracusis, **quae lautumiae vocantur**, in istius imperio domicilium civium Romanorum fuit. ut quisque istius animum aut oculos offenderat, in lautumias statim coniciebatur.

⁴ Peterson 1917; Levens 1946; Klotz 1949.

⁵ Greenwood 1935: 560 n. 1.

⁶ Reynolds and Wilson 2013: 229.

quae lautumiae vocantur del. Berry

[*The famous prison at Syracuse, which was constructed by the cruel tyrant Dionysius, **which is called the stone-quarry**, became under Verres' governorship the permanent home of Roman citizens. Whenever Verres was irritated by the sight or thought of any one of them, that person was immediately cast into the stone-quarry.*]

Earlier in the speech, at § 68, Cicero provided a highly memorable, seven-line description of the *lautumiae* ('stone-quarry', as at Pl. *Capt.* 723, *Poen.* 827) at Syracuse, giving details of its use as a prison. The passage opens: *Lautumias Syracusanas omnes audistis, plerique nostis* ('You have all heard of the stone-quarry at Syracuse, and most of you have seen it'). The quarry is also mentioned at *Ver.* 2.1.14, where it is stated that the jury have already been told in the preceding evidence about the deaths of Roman citizens there. Here, on the other hand, the passage begins with a mention of a famous prison (*Carcer ille*), but a moment later it is assumed that the reader is unaware that the prison 'is called' the *lautumiae* (as though the prison were not actually in origin a quarry but merely said to be one): *quae lautumiae vocantur*. The passage then continues with a further mention of the *lautumiae* in the next sentence. The words *quae lautumiae vocantur* provide information which is completely unnecessary, and do so in a relative clause which follows another relative clause. They should be deleted as a pedantic gloss, with § 68 as the source of the information supplied.

Mur. 43

Cicero has been comparing the political careers of Murena and Sulpicius, to the latter's disadvantage.

Et quoniam ostendi, iudices, parem dignitatem ad consulatus petitionem, disparem fortunam provincialium negotiorum in Murena atque in Sulpicio fuisse, dicam iam apertius in quo meus necessarius fuerit inferior, **Servius**, et ea dicam vobis audientibus amisso iam tempore quae ipsi soli re integra saepe dixi.

Servius del. Halm

*[What I have shown, members of the jury, is that Murena and Sulpicius were equally well qualified to stand for the consulship, but were not equally lucky as regards the official duties they were allotted. I shall now state explicitly the respects in which my friend was the weaker of the candidates, **that is Servius**, and now that he has lost the election I shall say in your hearing what I often said to him in private when he still had a chance.]*

The word *Servius* explains *meus necessarius*. But *meus necessarius* does not need any explanation, particularly since Cicero has already stated a page before that he is a *necessarius* of Sulpicius: *huius sors ea fuit quam omnes tui necessarii tibi optabamus, iuris dicundi* ('Murena was allotted the post which we your friends all wanted for you, that of civil jurisdiction', § 41). Moreover, the position of *Servius* is awkward. Halm and other nineteenth-century editors were right to delete the word as a gloss; but it is retained by twentieth-century editors, including Clark, Boulanger, Kasten and Adamietz, none of whom judged its proposed deletion even to be worth mentioning in their apparatuses (nor is it mentioned in Adamietz's commentary).⁷

⁷ Halm 1866; Clark 1905; Boulanger 1943; Kasten 1972; Adamietz 1989.

Mil. 27

Cicero is narrating the events that led to Clodius' death. Clodius had wanted to prevent Milo being elected consul, and had often declared publicly that this could be achieved only through the murder of Milo.

Interim cum sciret Clodius—neque enim erat id difficile scire **a Lanuvinis**—iter sollemne, legitimum, necessarium ante diem XIII Kalendas Februarias Miloni esse Lanuvium ad flaminem prodendum, **quod erat dictator Lanuvi Milo**, Roma subito ipse profectus pridie est ut ante suum fundum, quod re intellectum est, Miloni insidias conlocaret; atque ita profectus est ut contionem turbulentam in qua eius furor desideratus est, **quae illo ipso die habita est**, relinqueret, quam, nisi obire facinoris locum tempusque voluisset, numquam reliquisset.

scire a Lanuvinis *ETw* : scire δ

quod erat dictator Lanuvi Milo *del. Bake*

quae illo ipso die habita est *del. Bake*

[Meanwhile Clodius knew (nor was it hard to know **from the people of Lanuvium**) that Milo was required by both ritual and law to travel to Lanuvium on 18 January to nominate a priest, **because Milo was dictator at Lanuvium**. So he suddenly set out from Rome the day before in order, as the sequel showed, to set a trap for Milo in a spot opposite his own estate. His departure from Rome meant that he had to abandon a rowdy public meeting at which his usual violence was sadly missed, **which was held on the very same day**—a meeting he would

never have abandoned had he not particularly wished to be present at the scene of the crime at the crucial moment.]

The text of *Pro Milone* has suffered considerably from the incorporation of marginal glosses, as was shown by Bake in 1852 and Clark in his edition of 1895.⁸ In this passage, *a Lanuvinis* was omitted, perhaps deliberately, in δ (the lost parent of the *Itali*), and *quod erat dictator Lanuvi Milo* and *quae illo ipso die habita est* were deleted by Bake.⁹ In his edition of 1895, Clark deleted all three phrases.¹⁰

In the case of *a Lanuvinis*, the words needlessly restrict the sense, as Clark points out. The phrase, not being qualified, would most naturally be taken to mean the people of Lanuvium generally, i.e. in their home town, not people of Lanuvium who chanced to be in Rome (if that had been Cicero's meaning, he would have needed to spell it out, and, if there had been such people present in Rome, it would have been in his interest to say so). Now, there were obviously many means by which Clodius, who was in Rome, could have found out that Milo, also in Rome, was planning to make a trip to Lanuvium; but the suggestion that he should have found this out from the people of Lanuvium, presumably by travelling there himself in order to question them, is faintly ludicrous. The phrase must be a gloss.

In the case of *quod erat dictator Lanuvi Milo*, it is possible to defend the use of the indicative, but the information that Milo was dictator at Lanuvium seems likely to have been taken from Asc. 31 C *Milo Lanuvium, ex quo erat municipio et ubi tum dictator, profectus est ad flaminem prodendum postera die* ('Milo set out for Lanuvium (his home town, of which he

⁸ Bake 1852: 285-98; Clark 1895: xlviii.

⁹ Bake 1852: 290-1.

¹⁰ Clark 1895: 23-4.

was at that time dictator) in order to install a priest on the following day'). This likelihood is increased by two other phrases in the text of the speech which also look like glosses derived from Asconius: § 46 *cuius iam pridem testimonio Clodius eadem hora Interamnae fuerat et Romae* (derived from Asc. 49 C; discussed below) and § 90 *Sex. Clodio duce* (derived from Asc. 33 C *duce Sex. Clodio*).

As for *quae illo ipso die habita est*, the statement is not true. The *contio turbulenta* was not held on the day of Clodius' departure from Rome (17 January), but, according to Asconius (49 C), who names the *Acta senatus* as his source, was held on the day of Clodius' death (18 January). As Clark explains, Cicero has chosen to present a picture of Clodius tearing himself away abruptly from (*relinqueret*) the *contio*: the abruptness of his departure can then be accounted for by his supposed plot to kill Milo. To achieve this, Cicero has to avoid revealing that the *contio* from which Clodius tore himself away actually took place the day after his departure. The same strategy is adopted at § 45. There too Cicero talks of Clodius tearing himself away from (*reliquisset*) the *contio* (now described as an *insanissima contio*), and he allows the inattentive reader to infer, but is careful not to state, that the two events took place on the same day. At § 27, however, a scholiast has fallen into Cicero's trap and has assumed that the date of the *contio* was the same as that of Clodius' departure, and has added a gloss to that effect.

In Clark's OCT of 1901, and again in the second edition of 1918, all three phrases are restored to the text without explanation; and the two deleted by Bake are also retained in the editions of Klotz, Watts and Boulanger.¹¹ Clark was right first time: all three phrases are glosses and deserve no place in the text.

¹¹ Clark 1901, 1918; Klotz 1918; Watts 1931; Boulanger 1949.

Mil. 46

Cicero is drawing inferences from the time of Clodius' death and the knowledge available to Clodius and Milo of each other's movements.

(45) ... Quid si, ut ille scivit Milonem fore eo die in via, sic Clodium Milo ne suspicari quidem potuit? (46) primum quaero qui id scire potuerit? quod vos idem in Clodio quaerere non potestis. ut enim neminem alium nisi T. Patinam, familiarissimum suum, rogasset, scire potuit **illo ipso die** Lanuvi a dictatore Milone prodi flaminem necesse esse. sed erant permulti alii ex quibus id facillime scire posset: **omnes scilicet Lanuvini**. Milo de Clodi reditu unde quaesivit? quaesierit sane—videte quid vobis largiar—servum etiam, ut Q. Arrius, amicus meus, dixit, corruerit. legite testimonia testium vestrorum. dixit C. Causinius Schola, Interamnanus, familiarissimus et idem comes Clodi, **cuius iam pridem testimonio Clodius eadem hora Interamnae fuerat et Romae**, P. Clodium illo die in Albano mansurum fuisse, sed subito ei esse nuntiatum Cyrum architectum esse mortuum, itaque repente Romam constituisse proficisci.

illo ipso die *del. Berry*

omnes scilicet Lanuvini *del. Lambinus*

cuius iam pridem testimonio Clodius eadem hora Interamnae fuerat et Romae *ETδ : om. H, Ascon.*

[(45) ... Now what if, just as Clodius knew that Milo would be on the road that day, Milo could have had no idea that Clodius would be? (46) I should like to ask first, how could he have known it? You cannot ask that question about Clodius. For even if he had asked no one except his close friend Titus Patina, he could still have known that Milo was obliged, in his

*capacity as dictator, to nominate a priest at Lanuvium **on that very day**. Indeed, there were a great many others from whom he could easily have found this out: **namely, all the people of Lanuvium**. But returning to Milo, whom could he have asked about the date of Clodius' return? Let us suppose that he actually did ask (see how much I am willing to concede!), even that he bribed a slave, as my friend Quintus Arrius has alleged. But you only need to read the testimony of your own witnesses. There you will find that Gaius Causinius Schola of Interamna, a close friend of Clodius who accompanied him on the journey, **according to whose testimony, long ago, Clodius had been simultaneously at Interamna and at Rome**, has stated that Publius Clodius was intending to stay at his estate at Alba that day, and only when he was unexpectedly informed of the death of Cyrus the architect did he suddenly decide to set out for Rome.]*

The deletion of *illo ipso die* has not to my knowledge been previously proposed. First of all, the statement is not true: Milo was not obliged to nominate a priest on that very day (18 January, the day of Clodius' murder), but on the following one (Asc. 31 C *postera die*; the passage is quoted above). Second, Cicero gains nothing by the statement, and in fact loses by it, because if Milo were due to have nominated a priest at Lanuvium on 18 January, he would have been unlikely to have left Rome only on that day, particularly if it was his normal practice to take his wife and 300 slaves and gladiators with him, as on this occasion (Lanuvium was 32 kilometres from Rome). It is inconceivable that Cicero should have falsified the chronology in such a way as to weaken his argument. Third, although in this speech Cicero allows his readers to draw false inferences about the chronology, he never elsewhere makes an untrue statement about it. The words *illo ipso die* were presumably added to the text by the same scholiast who added *quae illo ipso die habita est* at § 27.

Neither *omnes scilicet Lanuvini* nor *cuius iam pridem testimonio Clodius eadem hora Interamnae fuerat et Romae* were printed by Clark in his 1895 edition. *omnes scilicet Lanuvini*, like *a Lanuvinis* at § 27, needlessly restricts the sense: when Cicero has just said *permulti alii*, there is no point in his then reducing these unspecified multitudes to the inhabitants of a town whom Clodius would have had no particular reason to interrogate (*omnes* indicates that the people of Lanuvium generally are denoted, not people of Lanuvium in Rome). In any case, *scilicet* marks the phrase as a gloss. In his OCT of 1901, however, Clark reinstated *omnes scilicet Lanuvini*, remarking ‘*clausula bona est*’, and he retained the words in his second edition of 1918. The clausula is indeed Ciceronian (cretic-double-trochee); but, on the other hand, if the phrase is deleted, the sentence still ends with a cretic-double-trochee clausula (*facillime scire posset*).¹² Again, Clark was right first time: *omnes scilicet Lanuvini* should be deleted. The words were later retained by Watts but deleted by Klotz and Boulanger.

As for *cuius iam pridem testimonio Clodius eadem hora Interamnae fuerat et Romae*, the phrasing is certainly elegant and the clausula *fuerat et Romae* (resolved cretic-spondee) Ciceronian. Moreover, the clause does have the effect of establishing C. Causinius Schola as a close friend of Clodius’ who was in a position to know details of his plans and movements. Nevertheless, Cicero’s argument at this point depends absolutely on Causinius’ evidence being accepted as true, and it makes no sense for him to remind the jury that the man gave false evidence in a trial nine years previously. Furthermore, the clause is found neither in *H* nor in Asconius’ quotation of the passage (Asc. 49 C), and therefore should probably be assumed not to have occurred in the archetype. It must, then, be another gloss, the

¹² Infinitive + *posset*, at the end of a colon or period, was a formulation Cicero found useful (like *esse videatur*) in filling out clausulae. See Oakley 2013: 289.

information being taken from Asc. 49 C. Nevertheless, it is retained by Klotz, Watts and Boulanger.

Mil. 96

Cicero is explaining Milo's attitude to his trial and the events that led up to it.

Meminit etiam vocem sibi praeconis modo defuisse, quam minime desiderarit, populi vero cunctis suffragiis, quod unum cupierit, se consulem declaratum; nunc denique, si haec **arma** contra se sint futura, sibi facinoris suspicionem, non facti crimen obstare.

haec arma ΣHE : haec Tδ

*[He also remembers that it was only the herald's formal announcement, the thing he coveted least, that he failed to secure; it was instead the unanimous vote of the people, the only thing he desired, that declared him consul. And now, if these **arms** are to go against him, he believes that it is merely the suspicion of some evil intention and not guilt on the present charge that will have proved his undoing.]*

arma has either been added to the tradition as a gloss or omitted from a branch of it, whether deliberately or accidentally. Clark this time is consistent: in all three of his editions, he includes the word, regarding its omission in Tδ as 'a pure blunder'.¹³ Klotz and Boulanger also include the word, but Watts omits it, and translates *haec* as 'the present proceedings'.

¹³ Clark 1895: 87.

Everywhere else in the speech, Cicero treats the soldiers who attended the trial of Milo as being there for his and Milo's protection, and Asconius states that they were in attendance at the request of the defence, to protect them from Clodius' supporters (40 C). Asconius also states that Cicero spoke without his customary resolution because the Clodians were not restrained by fear of the soldiers from shouting him down (41-2 C). Two pages later in his *conclusio*, Cicero even makes a rousing appeal to the soldiers attending the trial to take up arms and intervene physically to prevent Milo's exile: *vos, inquam, in civis invicti periculo appello, centuriones, vosque, milites: vobis non modo inspectantibus sed etiam armatis et huic iudicio praesidentibus haec tanta virtus ex hac urbe expelletur, exterminabitur, proicietur?* ('I appeal to you, centurions, and to you, soldiers of the lower ranks: a citizen, never before defeated, is facing the gravest danger! You are not mere onlookers: you are standing guard over this court and you have weapons in your hands. Will you allow such virtue as Milo's to be ejected, expelled and banished from this city?', § 101). It is therefore impossible that, here at § 96, a guilty verdict can be described in terms of arms being deployed against Milo. Without *arma*, *haec* is somewhat vague, but the meaning is clear enough (it is: 'this trial'). In any case, it is easy to see why Cicero should have favoured inspecific language when referring to the possibility of Milo's imminent conviction. *arma* should therefore be treated as a gloss, added to explain the vague *haec* by a scholiast who was aware of the presence of soldiers at the trial but had not understood the reason why they were there.

Reynolds and Wilson have written: 'The detection of ... glosses in a prose text is often of the greatest difficulty. Many passages contain explanatory phrases which are not strictly required for the sense but offer no offence to grammar or syntax. These phrases present problems which may remain insoluble.'¹⁴ This paper has shown that Cicero's

¹⁴ Reynolds and Wilson 2013: 229.

speeches are a type of prose text in which the detection of glosses and other such additions is not particularly difficult. Additions are betrayed when they do violence to the sense,¹⁵ or when they explain a point which would not have needed explaining to the original readership, or has already been explained earlier—sometimes only a short while earlier—in the speech. They are also betrayed when their content runs counter to Cicero’s persuasive strategy, that is, when they say something which it is against Cicero’s interest to say. Finally, they are betrayed when they reveal a misunderstanding of the historical circumstances of the speech. In all such cases, deletion is the appropriate response. Editors ought not to be so unwilling to countenance it.

¹⁵ A further example (not discussed above because there has been no edition of the speech since deletion was suggested) is provided by *Ver.* 48, where the MSS have *ita res a me agetur ut in eorum consiliis omnibus non modo aures **hominum**, sed etiam oculi populi Romani interesse videantur* (‘I will conduct my prosecution in such a way that their intrigues will all appear manifest not only to the ears **of men**, but to the eyes of the Roman people as well’). Peterson 1917 opted for a palaeographic solution, changing *hominum* to *omnium* (explained at Peterson 1906: 256); but the difficulty of sense remains. Shackleton Bailey’s tentatively suggested deletion of *hominum* must be correct (Shackleton Bailey 1979: 241-2). The rhythm also supports deletion: deletion results in a cretic-double-trochee before *sed etiam*, while neither *hominum* nor *omnium* provides a Ciceronian rhythm.

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